IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY EIGHTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 6539 of 2005

Between:

E.L. Sanjanna Goud, S/o. Venkataswamy Goud,
3rd Ward, Veldurthy Village and Mandal, Kurnool District.

..... PETITIONER

AND

1 The Collector and District Magistrate, Kurnool District, Kurnool.
2 The Revenue Divisional Officer, Kurnool, Kurnool District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, Order or Direction, more particularly one in the nature of Writ of Mandamus to declare the impugned procedings Rc. CS2/496/2004 dt. 3-3-2005 issued by the Respondent No.1, as illegal, arbitrary and contrary to the guidelines prescribed by the Government and consequently set aside the same and to grant such other relief or reliefs as this Hon'ble Court deems fit and proper in the circumstances of the case.

Counsel for the Petitioner:MR.J.JANAKIRAMI REDDY

Counsel for the Respondent No.: GP FOR CIVIL SUPPLIES

The Court at the stage of admission made the following :

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ORDER:.

Heard both sides and at their request this Writ Petition is taken up for disposal at the stage of admission.

In this Writ Petition, the petitioner is seeking a writ of Mandamus declaring the proceedings dated 3.3.2005, issued by the first respondent, as illegal and arbitrary.

The petitioner challenges the bifurcation of Fair Price Shop and this issue had been decided by the Supreme Court in DISTRICT COLLECTOR AND ANOTHER VS. B. SURESH AND OTHERS.

Bifurcation of the Fair Price Shop is absolutely in the interest of the public and any arbitrary action should be demonstrated explicitly. I do not find any arbitrariness apparent on the face of the record and the decision taken by the competent authority while bifurcating the Fair Price Shop is quite legal.

Hence, I do not find any reason to interfere with the order passed and accordingly, the Writ Petition is dismissed. No costs.

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D.S.R. VARMA, J

DATED: 28.03.2005

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To

1 The Collector and District Magistrate, Kurnool District, Kurnool.
2 The Revenue Divisional Officer, Kurnool, Kurnool District.

3. 2 CCs to G.P. for Civil Supplies, High Court of A.P., Hyderabad (OUT)

4. 2 CD copies.